

REV. 11/98  
For Other Than A Small Entity



SECTOR \$

Docket No. STK-075

Examiner : Not Yet Assigned  
Group Art Unit : 1646  
Applicants : Hermann Oppermann, et al.  
Application No. : 09/375,333  
Filed : August 16, 1999  
For : MODIFIED TGF- $\beta$  SUPERFAMILY PROTEINS

Hon. Assistant Commissioner  
for Patents  
Washington, D.C. 20231

New York, New York  
February 28, 2000

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ Response to Notice to File Missing Parts; ☒ Copy of Notice to File Missing Parts; ☒ Executed Declaration and Power of Attorney; ☒ Petition for Three-Month Extension of Time; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.

☐ A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 78 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$260 =	\$
* If less than 20, insert 20.			TOTAL	\$ <u>          </u>
** If less than 3, insert 3.				

- [ ] A check in the amount of \$\_\_\_\_\_ in payment of the filing fee is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- [ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

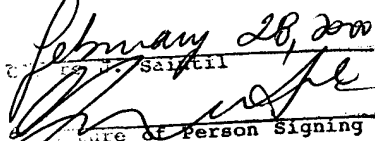
- [X] The following extension is applicable to the Response filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$380.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$870.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,360.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,850.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- [X] A check in the amount of [ ] \$110.00; [ ] \$380.00; [X] \$870.00; [ ] \$1,360.00; [ ] \$1,850.00 in payment of the extension fee is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- [ ] Please charge the [ ] \$110.00; [ ] \$380.00; [ ] \$870.00; [ ] \$1,360.00; [ ] \$1,850.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



James F. Haley, Jr. (Reg. No. 27,794)  
Attorney for Applicants  
Karen Mangasarian (Reg. No. 43,772)  
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STK-075

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned  
Group : 1646  
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New York, New York  
February 28, 2000

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

This is in response to the September 28, 1999 Notice to File Missing Parts ("Notice"), a copy of which is enclosed herewith.

Applicants concurrently file herewith a petition for a three-month extension of time for responding to the Notice and have paid the required extension fee. 37 C.F.R. §§ 1.17(a)(3) and 1.136(a).

With the extension, the time for responding is extended up to and including February 28, 2000.

To satisfy the requirements of the Notice, applicants enclose a Declaration and Power of Attorney signed by the inventors in compliance with 37 C.F.R. § 1.63 and enclose a check for \$130.00 in payment of the outstanding surcharge.

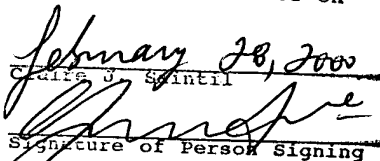
The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this response is enclosed.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)  
Attorney for Applicants  
Karen Mangasarian (Reg. No. 43,772)  
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WASHINGTON, D.C. 20231 on

  
Signature of Person Signing



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/375,333	08/16/99	OPPERMANN	H STK-075

021323  
TESTA HURWITZ & THIBEAULT  
HIGH STREET TOWER  
125 HIGH STREET  
BOSTON MA 02110

0242/0928



NOT ASSIGNED

1646

DATE MAILED:

09/28/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.  
Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. The following additional claims fees are due:  
\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:  
☒ is missing or unsigned.  
☐ does not cover the newly submitted items.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application; the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*Karen Smith*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

03/27/2000 TLJ111 0000095 49375333 130.00 UP  
501:105  
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